state commerce on or about August 13, 1937, from Brentwood, Md., by Vasco Products, Inc.; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled: "Colac Chemical Co. Inc. * * * Brentwood, Md., U. S. A. Sole Proprietors."

Analysis of a sample of the article showed that it consisted essentially of extracts of plant materials, including a tar such as juniper tar, and magnesium and calcium oxides, coated with sugar, starch, iron oxide, and chocolate.

The article was alleged to be misbranded in that the following statements appearing in the labeling falsely and fraudulently represented the curative and therapeutic effectiveness of the article: (Bottle) "Colac Pile Pills * * * Highly recommended for all forms of piles of the rectum. * * * Swallow whole two pills three times daily before or after meals, until all symptoms have disappeared": (shipping carton) "Colac Pile Pills."

On June 15, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29025. Misbranding of santal oil capsules. U. S. v. 2 Shipments of Santal Oil Capsules. Default decree of condemnation and destruction. (F. & D. Nos. 42276, 42277. Sample Nos. 12581–D, 12583–D, 12699–D, 12700–D.)

This product was labeled to indicate that it was oil of santal; whereas it contained mineral oil, a terpineol, a derivative of phthalic acid, and a benzyl compound—which are not normal ingredients of oil of santal—and otherwise failed to meet the pharmacopoeial tests for oil of santal.

On April 30, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 61,000 santal oil capsules at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about September 9, 1937, and April 11, 1938, by the Merz Capsule Co. from Detroit, Mich.; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that it was an imitation of and was offered for sale under the name of another article.

On May 26, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29026. Adulteration of aromatic spirits of ammonia and sweet spirits of niter. U. S. v. 132 Bottles of Aromatic Spirits Ammonia (and one other seizure action). Default decree of condemnation and destruction. (F. & D. Nos. 42004, 42005. Sample Nos. 9659–D, 9859–D, 9860–D.)

These products were sold under names recognized in the United States Pharmacopoeia but contained less ammonia and ethyl nitrite, respectively, than specified by that authority. The sweet spirits of niter also contained less ethyl nitrite than declared on the label.

On March 25, 1938, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of a total of 492 bottles of aromatic spirits of ammonia and 276 bottles of sweet spirits of niter at Harrisburg, Pa.; alleging that the articles had been shipped in interstate commerce between October 14, 1937, and February 1, 1938, by C. F. Sauer Co. from Richmond, Va.; and charging adulteration in violation of the Food and Drugs Act.

The products were alleged to be adulterated in that they were sold under names recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down therein and their own standards of strength, quality, and purity were not stated on the containers since one of the lots of aromatic spirits of ammonia contained not more than 1.635 grams of ammonia per 100 cubic centimeters, and the other lot contained not more than 1.31 grams of ammonia per 100 cubic centimeters and the samples examined from the latter lot contained not more than 2.2 and 2.9 grams of ammonium carbonate per 100 cubic centimeters, whereas the pharmacopoeia provides that aromatic spirits ammonia shall contain not less than 1.7 grams of ammonia and not less than 3.5 grams of ammonium carbonate per 100 cubic centimeters; the sweet spirits of niter contained not more than 2.1, 1.1, 2.0, 2.1, 1.8, 2.7, and 3.0 percent, respectively, of ethyl nitrite for the seven units examined, whereas the pharmacopoeia

requires that the article contain not less than 3.5 percent of ethyl nitrite. The sweet spirits of niter was alleged to be adulterated further in that it was labeled "Sweet Spirits Nitre * * * Ethyl Nitrite, 4%," and its strength fell below the professed standard and quality under which it was sold since it did not contain 4 percent of ethyl nitrite but did contain a less amount.

On April 29, 1938, no claimant having appeared, decrees of condemnation were entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29027. Adulteration and misbranding of Vitawine. U. S. v. 24 Bottles of Vitawine. Default decree of condemnation and destruction. (F. & D. No. 42262. Sample No. 804–D.)

The vitamin content of this product fell below the professed standard or quality under which it was sold. Its label also bore an incorrect declaration of alcohol and false and fraudulent curative and therapeutic claims.

On April 29, 1938, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 bottles of Vitawine at Atlanta, Ga.; alleging that the article had been shipped in interstate commerce on or about November 2, 1937, from Miami, Fla., by the Vitawine Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of water, alcohol (9.8 percent by volume), citrates, an iron compound, manganese equivalent to 0.13 grains of manganese citrate per fluid ounce, and less than 40 Sherman units of vitamin B_1 per fluid ounce.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard or quality under which it was sold, namely, "Each Fluid Ounce Contains: Vitamin B Complex—15 grs. (90–100 Sherman Units B_1) * * * Manganese Citrate—1/2 gr.," since each fluid ounce of the article did not contain 15 grains of vitamin B complex (90–100 Sherman units B_1) or 1/2 grain of manganese citrate.

Misbranding was alleged in that the following statements appearing in the labeling were false and misleading, since they represented that the article was a vitamin tonic combining the "Vitamin B Complex B_1 B_2 (G)," that each fluid ounce of the article contained 15 grains of "vitamin B complex (90–100 Sherman Units B_1)" and 1/2 grain of manganese citrate; whereas the article was not a vitamin tonic combining the "Vitamin B Complex B_1 B_2 (G)," each fluid ounce did not contain 15 grains of "Vitamin B Complex (90–100 Sherman units B_1)" or 1/2 grain of manganese citrate: "Vitawine A vitamin Tonic combining the Vitamin 'B' Complex B_1 B_2 (G) * * * Each Fluid Ounce Contains: Vitamin B Complex—15 grs. (90–100 Sherman Units B_1) * * * Manganese Citrate—½ gr. * * * The Vitawine Co. * * * Vitamin 'B' Complex contains 90–100 Sherman Units B_1 per Gram."

Misbranding was alleged further in that the package failed to bear on its label a statement of the quantity or proportion of alcohol contained therein, since the declaration of the alcohol made on the label was incorrect. Misbranding was alleged further in that the following statements appearing in the labeling falsely and fraudulently represented the curative or therapeutic effectiveness of the article, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Colitis Anemia Neuritis Malnutrition Deficient Lactation Acne * * * anti-anemic effects * * * providing the growth-stimulating and appetite-producing Vitamin B Complex in sufficient quantity * * * A valuable accessory to the diet of people of all ages. Contains one of the richest known sources of Vitamin B Complex, made from fresh Yeast * * * Compounded on the basis of two teaspoonsful being equivalent in Vitamin B value to one cake of fresh yeast, or 50 units B_1 * * * Highly potent, completely stable * * * Vitamin B preparation * * * not only for use where this constitutes the sole medication but * * * in conditions where Vitamin B deficiency is a contributory factor * * * Supplementing the ordinary diet with Vitamin B is perhaps generally advisable; it is certainly advisable for individuals who show a beneficial response to such supplements. A high Vitamin intake should be assured in pregnancy, in lactation, in the diets of infants and growing children, in the treatment of chronic gastrointestinal disorders (especially constipation and colitis), in treatment of chronic infections and other long-continued or wasting diseases, in hyperthyroidism and other conditions in which the total food intake or total metabolism is high